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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

WILDEARTH GUARDIANS,)	CV 14-13-BLG-SPW-CSO
Plaintiff,)	
)	
v.)	
)	
U.S. OFFICE OF SURFACE)	FEDERAL DEFENDANTS'
MINING, RECLAMATION AND)	STATUS REPORT ON
ENFORCEMENT <i>et al.</i> ,)	CORRECTIVE NEPA ANALYSIS
Federal Defendants,)	
)	
and)	
)	
STATE OF MONTANA, SPRING)	
CREEK LLC, NATIONAL MINING)	
ASSOCIATION,)	
Defendant-Intervenors.)	
)	
)	
NORTHERN PLAINS RESOURCE)	CV 14-103-BLG-SPW-CSO
COUNCIL INC. <i>et al.</i>)	
Plaintiffs,)	

)
v.)
)
JEWELL <i>et al.</i> ,)
Federal Defendants,)
)
and)
)
STATE OF MONTANA <i>et al.</i> ,)
Defendant-Intervenors.)
_____)

On January 21, 2016, the Court issued its Opinion and Order adopting the findings and recommendations of Magistrate Judge Ostby, with the exception of the recommended remedy, which the Court modified. Doc. 135 at 8-9 (“Opinion and Order”). In particular, the Court ordered that vacatur of the challenged mining plan decision be deferred for a period of 240 days while Federal Defendants prepare an “updated environmental assessment” (hereafter, “EA”), *id.* at 9, under the National Environmental Policy Act (“NEPA”). In addition, the Court ordered Federal Defendants to file monthly status reports on progress, by the last business day of each month during the 240-day period, beginning in February 2016.

Accordingly, undersigned counsel, on behalf of Federal Defendants, and based on a report furnished by the Office of Surface Mining Reclamation and Enforcement (“OSMRE”), *see* Ex. 1, reports as follows:

1. OSMRE has retained the service of a third-party consultant to assist in preparation of an EA for the mining plan modification decision related to federal lease MTM 94378 and has developed a schedule establishing project milestones for completion of an EA by September 17, 2016.

2. OSMRE has notified the public of its intent to prepare the EA. This public notification included: notices printed in local newspapers, an announcement of the project posted on OSMRE's Western Region website (*see*

<http://www.wrcc.osmre.gov/initiatives/SpringcreekMineLBA1.shtm>),

announcements mailed directly to identified stakeholders, interested parties, Tribes, and land users. These notification materials describe the project and announced an approximately 30-day public comment period.

4. Public comments on the project, including issues and alternatives that may be evaluated in the EA, will be accepted until March 12 2016.

5. At this time, the project is on schedule and no delays are anticipated.

Respectfully submitted this 29th day of February, 2016.

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/s/ John S. Most
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing is being filed with the Clerk of the Court using the CM/ECF system, thereby serving it on all parties of record, this 29th day of February, 2016.

/s/ John S. Most

JOHN S. MOST

Counsel for Federal Defendants